

REMARKS

The Office Action mailed October 23, 2006 has been carefully considered. Applicants wish to thank the Examiner for the effort in evaluating this application and the helpful comments about the claim language.

Claims 1, 3-5, 8, 11-13 and 15 are pending in this application. Claim 1 is currently amended with this response. Claims 1, 5, 11-13, and 15 remain after entry of the present amendment. The Applicant reserves the right to pursue any cancelled subject matter in a Divisional or Continuation application.

By the present amendment, it is believed that the amended claims have overcome the examiner's rejections as detailed in the following remarks.

Claim Rejections – 35 USC §112

Claims 1 and 8 were rejected under 35 USC §112, first paragraph, as failing to comply with the enablement requirement. These claims have been rejected under the assertion that the recitation of “substituted”, “solvates”, “prodrugs” and “biosiosteres” are employed throughout claims 1 and 8 “with no indication given as to what the substituents, solvates, prodrugs and bioisosteres really are.” While not agreeing with the rejections of these recitations, the claims have now been amended with this response in order to more clearly point out and distinctly claim the subject matter of the invention. By the current amendment, the list of possible substitutions for “aryl” in the definition of “Het” in claim 1 has been incorporated into the claim from the specification. The “substitutions” for “aryl” are described in the specification as optional substitutions from page 7 at lines 19 to 29. Claim 1 has been amended to remove the recitations of terms found objectionable to the Office. Claim 8 has been cancelled. Withdrawal of the rejection is respectfully requested.

Claims 1 and 8 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Claim 8 has been cancelled. While not agreeing with the rejection of claim 1, this claim has now been amended in accordance with the kind suggestions of the

Examiner in order to gain a speedy allowance. Withdrawal of the rejection is respectfully requested.

The present amendments are believed to introduce no new matter, support for the amendments being found at the places indicated in the specification.

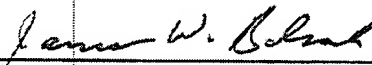
Claim 1 is now considered allowable. Claims 5, 11-13 and 15 are now allowable as being dependant upon allowable claims.

In view of the foregoing discussion, it is believed that all the pending claims, as amended, fully comply with the legal requirements for allowance. Reconsideration and allowance of the application with pending claims are earnestly solicited.

Enclosed herewith is a Petition under 37 C.F.R. § 1.136(a) to extend the time for response until September 24, 2007. It is believed that no additional fees and charges are required at this time in connection with the application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 18-1982.

If prosecution could be furthered by a telephone discussion, the Examiner is invited to call the undersigned practitioner at the number provided below.

Respectfully submitted,



James W. Bolcsak, Ph.D., Reg. No. 39,912
Attorney for Applicant

sanofi-aventis
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone: (908) 231-5922
Telefax: (908) 231-2626